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Attorneys for Plaintiffs CRAIG YATES
 and DISABILITY RIGHTS ENFORCEMENT,
 EDUCATION SERVICES

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES, an individual; and
 DISABILITY RIGHTS ENFORCEMENT,
 EDUCATION, SERVICES: HELPING
 YOU HELP OTHERS, a California public
 benefit corporation,

Plaintiffs,

v.

KING OF THAI NOODLE #2 INC., a
 California corporation; LAW SZE CHING;
 and CHAN WEI YUNG

Defendants,

CASE NO. CV-08-1877-WHA

**STIPULATION OF DISMISSAL AND
 [PROPOSED] ORDER THEREON**

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the Settlement Agreement and General Release (“Agreement”) herein, each party is to bear its own costs and attorneys’ fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

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STIPULATION OF DISMISSAL AND [PROPOSED] ORDER THEREON

1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through
2 their designated counsel that the above-captioned action be and hereby is dismissed with
3 prejudice pursuant to Federal Rules of Civil Procedure section 41(a)(1).

4 This stipulation may be executed in counterparts, all of which together shall constitute
5 one original document.

6
7 Dated: December 16, 2008

THOMAS E. FRANKOVICH,
A PROFESSIONAL LAW CORPORATION

8
9 By: _____/s/
10 Thomas E. Frankovich
11 Attorneys for Plaintiffs CRAIG YATES and
12 DISABILITY RIGHTS ENFORCEMENT,
13 EDUCATION SERVICES

14
15 Dated: December 16, 2008

JANET BRAYER,
LAW OFFICES OF JANET BRAYER

16 By: _____/s/
17 Janet Brayer
18 Attorneys for Defendants KING OF THAI
19 NOODLE #2, INC.

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1 Dated: December 16, 2008

JETHRO S. BUSCH,
STEVEN ADAIR MAC DONALD &
ASSOCIATES, P.C.

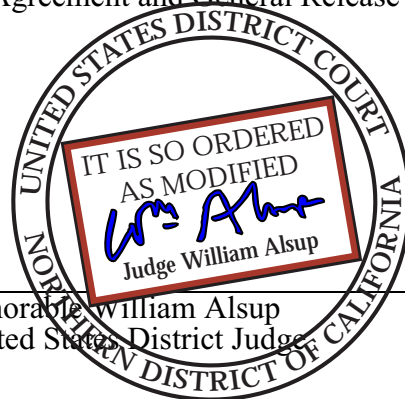
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3
4 By: /s/
 Jethro S. Busch
5 Attorneys for Defendants SZE CHING LAW, and
6 WEI YUNG CHAN (sued as LAW SZE CHING;
7 and CHAN WEI YUNG)

8 **ORDER**

9 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
10 Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for
11 the purpose of enforcing the parties' Settlement Agreement and General Release should such
12 enforcement be necessary.

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14 DATED: December 17, 2008

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16 Honorable William Alsup
United States District Judge



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20 The Court shall retain jurisdiction over this matter for one year only.